

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

BRYAN S. BEHRENS, et al.,

Defendants.

8:08-CV-13

ORDER

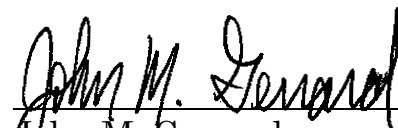
The Court has received correspondence from *pro se* defendant Bryan S. Behrens (filing [389](#)) that the Court construes as a motion to proceed in forma pauperis. As stated in the Court's Memorandum and Order of December 19, 2013 (filing [384](#)), the defendant may not take his appeal in forma pauperis, and his motion will be denied. The defendant is advised that because his appeal may not be taken in forma pauperis, no additional filing fees will be deducted from his prison account. The defendant is further advised, however, that should he seek review of the Court's decision by the Court of Appeals pursuant to [Fed. R. App. P. 24\(a\)\(5\)](#), the filing of *that* motion will result in the immediate assessment of appellate filing fees under [28 U.S.C. § 1915\(b\)](#). See *Henderson v. Norris*, 129 F.3d 481, 485 (8th Cir. 1997).

IT IS ORDERED:

1. The defendant's motion to proceed in forma pauperis (filing [389](#)) is denied.
2. The Clerk of the Court is directed to send a copy of this order to the Eighth Circuit Court of Appeals.

Dated this 20th day of December, 2013.

BY THE COURT:



John M. Gerrard
United States District Judge